

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**IDS PROPERTY CASUALTY, a Wisconsin  
Corporation,**

**Plaintiff,**

**vs.**

**SAMSUNG ELECTRONICS AMERICA,  
INC., a Delaware corporation,**

**Defendant.**

**8:19CV471**

**SECOND AMENDED  
CASE PROGRESSION ORDER**

This matter comes before the Court on the parties' Joint Motion for Amended Order for Progression of the Case ([Filing No. 28](#)). After review of the parties' motion, the Court finds good cause to grant the requested extensions. Accordingly,

**IT IS ORDERED** that the Joint Motion for Amended Order for Progression of the Case ([Filing No. 28](#)) is granted, and the amended case progression order is amended as follows:

- 1) The deadline for identifying expert witnesses expected to testify at the trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), is **December 14, 2020**.
- 2) The status conference scheduled for November 9, 2020, is cancelled. A planning conference to discuss case progression, dispositive motions, the pretrial conference and trial dates, and settlement status will be held with the undersigned magistrate judge on **December 18, 2020**, at **11:00 a.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference.
- 3) The deadlines for complete expert disclosures<sup>1</sup> for all experts expected to testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

For the plaintiff:	<b>January 14, 2021</b>
For the defendant:	<b>February 22, 2021</b>
Plaintiff's rebuttal:	<b>March 8, 2021</b>

- 4) The deadline for filing motions to dismiss and motions for summary judgment is **February 22, 2021**.

---

<sup>1</sup> While treating medical and mental health care providers are generally not considered "specially retained experts," not all their opinions relate to the care and treatment of a patient. Their opinion testimony is limited to what is stated within their treatment documentation. As to each such expert, any opinions which are not stated within that expert's treatment records and reports must be separately and timely disclosed.

- 5) The deposition deadline is **March 15, 2021**.
- 6) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is **March 29, 2021**.
- 7) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.
- 8) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 3<sup>rd</sup> day of November, 2020.

BY THE COURT:

s/Michael D. Nelson  
United States Magistrate Judge